

MARTORELL LAW APC
 Eduardo Martorell, State Bar No. 240027
 EMartorell@Martorell-Law.com
 Jordan M. Zim, State Bar No. 332757
 JZim@Martorell-Law.com
 Playa District
 6100 Center Drive, Suite 1130
 Los Angeles, CA 90045
 Telephone: (323) 840-1200
 Facsimile: (323) 840-1300

Attorneys for Defendant 10Q LLC; and
Specially Appearing Defendants
 PROPELR MUSIC, LLC; MARRIANI, INC.;
 ANTOINE REED p/k/a “Sir Michael Rocks”

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

TAYLOR D. PENDLETON, an
 individual,

Plaintiff,

v.

10Q LLC, a California Limited Liability
 Company; PROPELR MUSIC, LLC, an
 Illinois Limited Liability Company;
 MARRIANI, INC., an Illinois
 corporation; ANTOINE REED p/k/a “Sir
 Michael Rocks,” an individual; and DOES
 1 through 100, inclusive,

Defendants.

Case No. 2:22-cv-04806-RGK-PVC

Judge: Hon. R. Gary Klausner

**DEFENDANT 10Q LLC’s NOTICE
 OF MOTION AND MOTION TO
 DISMISS FOR FAILURE TO STATE
 A CLAIM FOR WHICH RELIEF
 CAN BE GIVEN PURSUANT TO
 FED R. CIV. P. 12(b)(6)**

Filed concurrently herewith:

- (1) Memorandum of Points & Authorities
- (2) Declaration of Eduardo Martorell
- (3) Declaration of Josh Kaplan
- (4) Request for Judicial Notice
- (5) [Proposed] Order

Hearing Date: January 23, 2023
 Time: 9:00 a.m.

Action filed: July 13, 2022

NOTICE OF MOTION AND MOTION TO DISMISS**PURSUANT TO RULE 12(b)(6)**

Please take notice that on January 23, 2023, at 9:00 a.m., or as soon thereafter as the matter may be heard, in the Courtroom of Honorable R. Gary Klausner, Courtroom 850 on the 8th Floor of the Roybal Federal Building and U.S. Courthouse, located at 255 East Temple Street., Los Angeles, CA 90012, Defendant 10Q LLC (“10Q”) hereby requests this Court to dismiss the Complaint of Plaintiff Taylor D. Pendleton (“Plaintiff”) against 10Q for failure to state a claim against it.

This Motion is based upon the accompanying Memorandum of Points and Authorities, the Request for Judicial Notice, the declarations submitted therewith, all documents in the Court’s file, and such other written and oral arguments and evidence as may be presented to the Court. This Motion is also made following the telephonic conference of counsel for parties pursuant to Local Rule 7-3, which took place on December 16, 2022. (*See* Declaration of Eduardo Martorell (“Martorell Decl.”), ¶ 4.)

Dated: December 23, 2022

MARTORELL LAW APC

By: /s/ Eduardo Martorell

Eduardo Martorell

Jordan M. Zim

Attorneys for *Specially Appearing*
Defendants PROPELR MUSIC, LLC;
MARRIANI, INC.; ANTOINE REED p/k/a
“Sir Michael Rocks”; and Defendant
10Q LLC